

KAREN P. HEWITT
 United States Attorney
 WILLIAM A. HALL, JR.
 Assistant U.S. Attorney
 California State Bar No. 253403
 United States Attorney's Office
 880 Front Street, Room 6293
 San Diego, California 92101-8893
 Telephone: (619) 557-7046/(619) 235-2757 (Fax)
 Email: william.a.hall@usdoj.gov

Attorneys for Plaintiff
 United States of America

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Criminal Case No. 08CR1367-JLS
)	
Plaintiff,)	DATE: May 30, 2008
)	TIME: 1:30 p.m.
v.)	Before Honorable Janis L. Sammartino
)	
VICTOR HUGO RENDON-LARA,)	UNITED STATES' STATEMENT OF
)	FACTS AND MEMORANDUM OF
Defendant(s).)	POINTS AND AUTHORITIES
_____)	

I

STATEMENT OF THE CASE

The Defendant, Victor Hugo Rendon-Lara (hereinafter "Defendant"), was charged by a grand jury on April 30, 2008 with violating 18 U.S.C. § 545, importation of merchandise subject to seizure. Defendant was arraigned on the Indictment on May 1, 2008, and entered a plea of not guilty.

II

STATEMENT OF FACTS

Defendant was apprehended on the evening of April 3, 2008, by United States Customs and Border Protection ("CBP") Officers at the San Ysidro, California Port of Entry. There, Defendant

1 entered the vehicle inspection lanes as the driver, registered owner, and sole occupant of a 1997
2 Chevrolet Suburban ("the vehicle").

3 At primary inspection, a CBP Officer asked Defendant what he was bringing from Mexico.
4 Defendant responded that he was bringing back soda and chips. The CBP Officer inspected the
5 rear of the vehicle and discovered two large cylindrical carton containers without labels. Upon
6 being asked what these items were, Defendant replied that the containers held grease used to clean
7 semi trucks and that he had purchased the items in the U.S. The CBP Officer discovered that the
8 containers were extremely heavy for the size of the containers. Upon probing the containers, the
9 CBP Officer suspected the containers contained iodine. He then escorted Defendant to the security
10 office and the vehicle was turned over to the vehicle secondary lot for further inspection.

11 There, upon further inspection of the vehicle, the two containers containing suspected
12 iodine were removed from the vehicle. Officials from a contract environmental services company
13 determined that the containers did indeed contain iodine. The containers had a combined weight
14 of approximately 102.85 kilograms.

15 III

16 UNITED STATES' MOTION FOR RECIPROCAL DISCOVERY

17 To date, the United States has provided Defendant with 104 pages of discovery and two
18 DVDs. The United States moves the Court to order Defendant to provide all reciprocal discovery
19 to which it is entitled under Rules 16(b) and 26.2. Rule 16(b)(2) requires Defendant to disclose
20 to the United States all exhibits and documents which Defendant "intends to introduce as evidence
21 in chief at the trial" and a written summary of the names, anticipated testimony, and bases for
22 opinions of experts Defendant intends to call at trial under Rules 702, 703, and 705 of the Federal
23 Rules of Evidence.

24 //

25 //

26 //

IV

CONCLUSION

For the foregoing reasons, the Government respectfully requests that its motion be granted.

DATED: May 16, 2008.

Respectfully submitted,

KAREN P. HEWITT
United States Attorney

s/ William A. Hall, Jr.
WILLIAM A. HALL, JR.
Assistant United States Attorney